

**BUSINESS REPORT**

**MONTANA HOUSE OF REPRESENTATIVES  
61st LEGISLATURE - REGULAR SESSION**

**HOUSE JUDICIARY COMMITTEE**

**Date:** Monday, March 30, 2009  
**Place:** Capitol

**Time:** 9:00 am  
**Room:** 137

**BILLS and RESOLUTIONS HEARD:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

SB 263

\_\_\_\_\_  
\_\_\_\_\_

**EXECUTIVE ACTION TAKEN:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

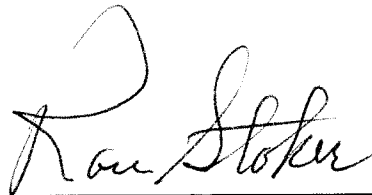
SB 476 (BC) SB 263 (BCAA)

HJ 31 (P)

SB 221 (Tabled)

SB 236 (Tabled)

**COMMENTS:**



REP. Ron Stoker, Chairman

**HOUSE OF REPRESENTATIVES**  
**Roll Call**  
**JUDICIARY COMMITTEE**

DATE: 3/30/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Rep. Peterson	X	
Rep. Kottel	X	
Rep. Kerns	X	
Rep. Sands		X excused
Rep. Bennett	X	
Rep. MacDonald	X	
Rep. More	X	
Rep. Ebinger	X	
Rep. Wagner	X	
Rep. Becker	X	
Rep. Driscoll	X	
Rep. Regier	X	
Rep. McClafferty	X	
Rep. Howard	X	
Rep. Blewett	X	
Rep. Warburton	X	
Rep. Menahan	X	
Rep. Stoker		excused X



## HOUSE STANDING COMMITTEE REPORT

March 30, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Joint Resolution 31** (first reading copy – white) **do pass**.

Signed: \_\_\_\_\_

A handwritten signature in cursive script, reading "Ron Stoker".

*Representative Ron Stoker, Chair*

- END -

**Committee Vote:**

**Yes 13, No 5**

Fiscal Note Required ☐

HJ0031001SC.hjd



## HOUSE STANDING COMMITTEE REPORT

April 2, 2009  
Page 1 of 2

Mr. Speaker:

We, your committee on **Judiciary** recommend that **Senate Bill 263** (third reading copy – blue) be concurred in as amended.

Signed: \_\_\_\_\_

*Ron Stoker*  
Representative Ron Stoker, Chair

To be carried by Representative Mike Menahan

And, that such amendments read:

1. Page 1, line 21.

Strike: "DISTRICT"

2. Page 1, line 22.

Strike: "may"

Insert: "shall"

Following: "pay the"

Insert: "minimum"

3. Page 1, line 23.

Following: "defendant"

Insert: "as provided in subsection (5) and may require a defendant to pay additional costs and expenses if a statement is filed as provided in subsection (2)"

4. Page 1, line 27.

Strike: "IS IN THE DISTRICT COURT"

Insert: "includes a jury trial"

5. Page 1, line 28.

Strike: "DISTRICT"

6. Page 2.

Committee Vote:

Yes 16, No 2

Fiscal Note Required \_\_\_\_

SB0263001SC06475.hjd

**Following:** line 13

**Insert:** "(5) The court shall include in every judgment the recovery of the following minimum costs and expenses of the assigned counsel in every case in which the defendant is represented by assigned counsel:

- (a) in every misdemeanor case, \$250; and
- (b) in every felony case, \$500."

- END -



## HOUSE STANDING COMMITTEE REPORT

March 30, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **Senate Bill 476** (third reading copy – blue) be concurred in.

Signed:   
*Representative Ron Stoker, Chair*

To be carried by Representative Anders Blewett

- END -

Committee Vote:

Yes 12, No 6

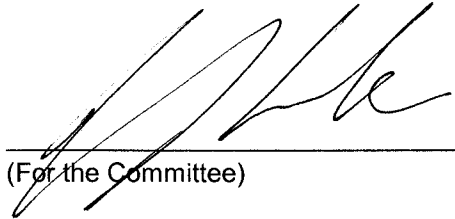
Fiscal Note Required ☐


SB0476001SC06460.hjd

**COMMITTEE FILE COPY**

**TABLED BILL**

The **HOUSE JUDICIARY COMMITTEE** TABLED **SB 221, SB 236**, by motion, on ~~Tuesday, February 10,~~ <sup>Monday Mar 30</sup> ~~2009.~~

  
(For the Committee)

  
(Chief Clerk of the House)

\_\_\_\_\_, 4/1  
(Time) (Date)

April 1, 2009

Jennifer L. Eck, Secretary

Phone: 444-4832

**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/30/09 BILL NO SB 476 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

SB 476 BE CONCURRED IN

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson	X		
Deborah Kottel	X		
Krayton Kerns		X	
Diane Sands	X		
Gerald Bennett		X	
Margaret MacDonald	X		
Michael More	X		
Bob Ebinger	X		
Bob Wagner		X	
Arlene Becker	X		
Robyn Driscoll	X		
Keith Regier	X		
Edith McClafferty	X		
David Howard		X	
Anders Blewett	X		
Wendy Warburton		X	
Mike Menahan		X	
Ron Stoker	X		

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**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/30/09 BILL NO HJ 31 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

HJ 31 DO PASS.

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson			
Deborah Kottel	X		
Krayton Kerns	X		
Diane Sands		X	
Gerald Bennett	X		
Margaret MacDonald		X	
Michael More	X		
Bob Ebinger	X		
Bob Wagner	X		
Arlene Becker		X	
Robyn Driscoll		X	
Keith Regier	X		
Edith McClafferty	X		
David Howard	X		
Anders Blewett		X	
Wendy Warburton	X		
Mike Menahan	X		
Ron Stoker	X		

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**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/30/09 BILL NO SB 221 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

SB 221 BE AMENDED  
(SB 022102.ads, Sen. Trepila)

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson		✓	
Deborah Kottel	X		
Krayton Kerns		X	
Diane Sands	X		
Gerald Bennett		X	
Margaret MacDonald	X		
Michael More		X	
Bob Ebinger	X		
Bob Wagner		X	
Arlene Becker	X		
Robyn Driscoll	X		
Keith Regier	X		
Edith McClafferty	X		
David Howard		X	
Anders Blewett	X		
Wendy Warburton		X	
Mike Menahan	X		
Ron Stoker		✓	

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**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/30/09 BILL NO SB 221 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

SB 221 BE AMENDED  
(SB022103, ads)  
Sen. Tropila

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson		X	
Deborah Kottel	X		
Krayton Kerns		X	
Diane Sands	X		
Gerald Bennett		X	
Margaret MacDonald	X		
Michael More	X		
Bob Ebinger	X		
Bob Wagner	X		
Arlene Becker	X		
Robyn Driscoll	X		
Keith Regier	X		
Edith McClafferty	X		
David Howard		X	
Anders Blewett	X		
Wendy Warburton		X	
Mike Menahan	X		
Ron Stoker	X		

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**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/30/09 BILL NO SB 221 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

SB 221 BE CONCURRED IN AS AMENDED.

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson		X	
Deborah Kottel	X		
Krayton Kerns		X	
Diane Sands	X		
Gerald Bennett		X	
Margaret MacDonald	X		
Michael More		X	
Bob Ebinger		X	
Bob Wagner		X	
Arlene Becker	X		
Robyn Driscoll	X		
Keith Regier		X	
Edith McClafferty		X	
David Howard		X	
Anders Blewett	X		
Wendy Warburton		X	
Mike Menahan	X		
Ron Stoker		X	

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**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/30/09 BILL NO SB 236 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

SB 236 BE CONCURRED IN.

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson		X	
Deborah Kottel	X		
Krayton Kerns		X	
Diane Sands	X		
Gerald Bennett		X	
Margaret MacDonald	X		
Michael More		X	
Bob Ebinger	X		
Bob Wagner		X	
Arlene Becker		X	
Robyn Driscoll	X		
Keith Regier		X	
Edith McClafferty	X		
David Howard		X	
Anders Blewett	X		
Wendy Warburton		X	
Mike Menahan	X		
Ron Stoker		X	

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**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/30/09 BILL NO SB 236 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

Motion to reverse and table SB 236.

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here &amp; include signed Proxy Form with minutes</u>
Ken Peterson	X		
Deborah Kottel		X	
Krayton Kerns	X		
Diane Sands		X	
Gerald Bennett	X		
Margaret MacDonald		X	
Michael More	X		
Bob Ebinger		X	
Bob Wagner	X		
Arlene Becker	X		
Robyn Driscoll		X	
Keith Regier	X		
Edith McClafferty	X		
David Howard	X		
Anders Blewett		X	
Wendy Warburton	X		
Mike Menahan		X	
Ron Stoker	X		

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Montana House of Representatives  
Visitors Register

JUDICIARY COMMITTEE

Date 3/30/09

Bill No. SB 263 Sponsor(s) Sen. Shockley

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Name and Address	Representing	Support	Oppose	Inf.
Jim Smith	County Attys	✓		
Marty Lambert	MCRA	X		
Jim Haynes	21 <sup>st</sup> Judicial District	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.